

**From:** [Thabault, Michael](#)  
**To:** [Noreen Walsh](#)  
**Subject:** Re: Question on state plan  
**Date:** Thursday, October 09, 2014 9:23:40 AM

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N Just spoke with Jodi. here is what is in the draft letter and our understanding of the noise. Service recommendation follows the WY model.

- The proposed noise stipulation is inclusive of existing anthropogenic activity, contains no overall limit, applies only from March 1-July 1, and may be superseded by a site-specific agreement. Given the caveats, we believe this is not sufficient to reliably achieve the desired conservation effect. The Service recommends allowance of no more than 10 dB above ambient conditions measured at sunrise, or no more than a maximum of 34 dB at the edge of active leks (Blickely and Patricelli 2012).

Michael Thabault  
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U.S. Fish and Wildlife Service  
Mountain Prairie Region  
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On Thu, Oct 9, 2014 at 8:44 AM, Noreen Walsh <[noreen\\_walsh@fws.gov](mailto:noreen_walsh@fws.gov)> wrote:  
he says it is the same noise restriction in WY? Can you help

Noreen Walsh  
Regional Director  
Mountain-Prairie Region  
U. S. Fish and Wildlife Service

On Oct 8, 2014, at 3:38 PM, Michael Thabault <[michael\\_thabault@fws.gov](mailto:michael_thabault@fws.gov)> wrote:

FYI for tomorrow.

Michael Thabault  
Assistant Regional Director  
Ecological Services  
Mountain Prairie Region

Begin forwarded message:

**From:** "Deibert, Pat" <[pat\\_deibert@fws.gov](mailto:pat_deibert@fws.gov)>  
**Date:** October 8, 2014 at 2:44:31 PM MDT  
**To:** Noreen Walsh <[noreen\\_walsh@fws.gov](mailto:noreen_walsh@fws.gov)>  
**Cc:** Michael Thabault <[michael\\_thabault@fws.gov](mailto:michael_thabault@fws.gov)>

**Subject: Fwd: Question on state plan**

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From: **Berglund, Jeff** <[jeff\\_berglund@fws.gov](mailto:jeff_berglund@fws.gov)>

Date: Wed, Oct 8, 2014 at 2:37 PM

Subject: Re: Question on state plan

To: Pat Deibert <[pat\\_deibert@fws.gov](mailto:pat_deibert@fws.gov)>

Cc: Jodi Bush <[jodi\\_bush@fws.gov](mailto:jodi_bush@fws.gov)>

So it's not necessarily that it wouldn't work - it's that we were pushing for more conservation benefit (more certainty) via application of a larger buffer, given the differences between WY and MT:

- The WY EO applies to most state activities – all state activities/agencies must comply (unsure of the MT regulatory scope, but requested State review),
- WY core contains 84% of their GSG population (MT contains 76%),
- WY GSG habitat primarily occurs in contiguous public ownership blocks (MT more fragmented),
- In WY, core areas were mapped to include additional habitat beyond that strictly necessary to prevent Endangered Species Act listing of the GSG, with the intent that the additional habitat would accommodate continuation of existing land uses and landowner activities (MT Strategy did not enact a similar approach),
- WY core habitat encompasses 35% of GSG habitat (MT 28% and would need to add approximately 2.2 mil ac of core to approximate the WY figure);
- In WY, 37% of core occurs in private ownership and 54% in federal ownership (MT 54% of core occurs in private ownership and 35% in federal ownership - so potentially less regulatory scope).
- There is early evidence based on a 40% reduction in leased hectares within core areas that WY policy is reducing potential for future fragmentation inside core areas (Copeland et al. 2013), but the 5% anthropogenic disturbance cap may still lead to some GSG decline in core areas (WY good, but still not perfect).
- Given these differences, and based on disturbance and nesting distance from leks in MT, studies cited in an extensive literature review distributed to the council by FWP, and other studies, FWS recommended the council increase the lek NSO to > 0.6 miles to **bolster the conservation benefit of the Strategy**.
- 4 miles ideal, but left it to council to determine what they

were willing/able to do along the **continuum** between 0.6 and 4 miles. Council elected 1 mile - FWS supported that as being an **improvement** over 0.6 mile and adding to Strategy effectiveness.

- Also, the noise measure in the EO is really weak, so it really doesn't add much to the conservation package (as it does in WY).

Hope this helps.

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got leks?